

## **HEALTH AND SENIOR SERVICES**

### **DIVISION OF SENIOR BENEFITS AND UTILIZATION MANAGEMENT**

#### **Provision of Pharmaceutical Services Under the Pharmaceutical Assistance to the Aged and Disabled Program (PAAD)**

##### **Quantity of Medication**

**Adopted Amendment:**     **N.J.A.C. 8:83C-1.16**

**Proposed:**                     May 17, 2004 at 36 N.J.R. 2417(a).

**Adopted:**                     August 12, 2004 by Clifton R. Lacy, M.D., Commissioner,  
Department of Health and Senior Services.

**Filed:**                         August 19, 2004 as R.2004 d.350, **without change**.

**Authority:**                    N.J.S.A. 30:4D-20 et seq.

**Effective Date:**             September 20, 2004.

**Expiration Date:**            April 19, 2009.

##### **Summary of Public Comment and Agency Response:**

**No comments were received.**

##### **Federal Standards Statement**

The PAAD Program is completely State-funded. Therefore, there are no Federal standards governing eligibility or services, as these are established by State law and rule.

The rules proposed for amendment are subject to, but do not exceed requirements of 42 U.S.C. §§ 1396 et seq.

Since any Federal requirements applicable to the rules are met, but not exceeded, no Federal standards analysis is required.

##### **Full text of the adoption follows:**

8:83C-1.16   Quantity of medication

(a)   Public Law 1998, c.124 establishes different days supply requirements for pharmacy claims based on the drug use history of a PAAD beneficiary. Days supply limitations for an Initial Prescription Claim for PAAD beneficiaries shall be different from days supply limitations for a Refill Prescription Claim.

1.    As used in this section, "Initial Prescription Claim" shall mean a PAAD claim for a drug not previously paid by the State during the 200-day

calendar period immediately preceding the service date of a claim being considered for payment; or a PAAD claim with a service date that has exceeded two times the days supply reported by the previously paid PAAD claim for the same prescription.

2. As used in this section, "Refill Prescription Claim" shall mean a PAAD claim for a previously paid prescription in which the time period between claims is less than or equal to two times the days supply reported by the previously paid PAAD claim for the same prescription. A Refill Prescription Claim may have the same or different prescription number.
3. For PAAD claims with service dates on or after November 1998, the following days supply limitations shall apply:

i.-ii. (No change.)

(b)-(c) (No change.)

(d) Prescriptions shall not be split or reduced in quantity, unless the quantity prescribed exceeds Program limits, in which case the quantity shall be reduced to Program limits described in (a) above.

1. Exception: When the full quantity prescribed (within Program limits) is not available when a prescription is ready to be dispensed, the pharmacist shall retain the claim form or submit an Electronic Media Claim after the balance of the medication is dispensed. The pharmacist may dispense the quantity available and shall notify the beneficiary accordingly.
2. (No change.)

(e) (No change.)